

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

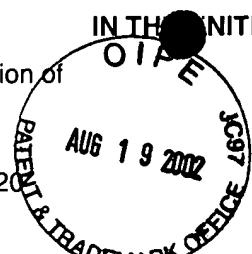
In re Patent Application of

LOCARNINI et al

Serial No. 09/306,420

Filed: May 6, 1999

Title: VIRAL VARIANTS AND METHODS FOR DETECTING SAME



Atty Dkt. 2551-28

C# M#

Group Art Unit: 1648

Examiner: Mosher, M.

Date: August 19, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment	37	minus highest number		
previously paid for	43	(at least 20) =	0	x \$ 18.00
Independent claims after amendment	15	minus highest number		
previously paid for	15	(at least 3) =	0	x \$ 84.00
If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)			\$	0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months)			\$	0.00
Terminal disclaimer enclosed, add \$ 110.00			\$	0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00)			\$	0.00
<input type="checkbox"/> Please enter the previously unentered , filed				
<input type="checkbox"/> Submission attached			Subtotal	\$ 0.00
If "small entity," then enter half (1/2) of subtotal and subtract				-\$ 0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith				
Rule 56 Information Disclosure Statement Filing Fee (\$180.00)			\$	0.00
Assignment Recording Fee (\$40.00)			\$	0.00
Other: Second Amendment Under Rule 116				0.00
			TOTAL FEE ENCLOSED	\$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____



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For: VIRAL VARIANTS AND METHODS FOR DETECTING
SAME

* * * * *

Monday, August 19, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

SECOND AMENDMENT UNDER RULE 116

OK to enter
Aug 19-2002

Responsive to the Official Action dated December 17, 2001, and the Advisory Action dated July 10, 2002, and supplemental to the Amendment Under Rule 116 filed June 17, 2002, entry and consideration of the following amendments and remarks are requested; the period for response having been extended up to and including Monday, August 19, 2002, by submission of the requisite extension petition, extension fee, Notice of Appeal and Notice of Appeal fee, on June 17, 2002.

IN THE CLAIMS

Amend the claims as follows:

Cancel claim 73, without prejudice.

G1 55. (Amended) An isolated HBV mutant, comprising a mutation in the gene encoding the HBV DNA polymerase resulting in decreased sensitivity to a nucleoside analogue compared to a wild-type HBV, wherein said mutation results in at least one

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